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Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I urge you to accept the settlement with Microsoft.

We should use the legal system to insure a highly competitive marketplace. We should not, however, be misguided by constructs of competitiveness in an industrial economy when analyzing an informational one. Microsoft has made a major contribution to growing the American economy. It has a leadership position in the software market, but its station is easy prey to innovative competitors. Microsoft has made concessions that will enhance the ability of others to challenge it. It is time to return the conflict from the courtroom to the marketplace.

The real danger we face is excessive government incursion in the marketplace. If the last hundred years tell us anything, it is free peoples and free markets knock the socks off bureaucratic decision making.

Sincerely yours,


James D. Smith